

Preliminary Finding and Decision

Proposed State Land Sale - AS 38.05.035(e)

Proposed Mineral Closing Order - AS 38.05.185

Alaska Coastal Management Program

Consistency Review - AS 46.40

Proposed Action

The Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW) proposes to offer for sale 17 surveyed parcels of state land for private ownership. The proposed sale consists of 17 parcels totaling 267.42 acres and range in size from approximately 3.5 to 45 acres; see Attachment A for a list of legal descriptions. The parcels are located within the Southcentral Region near the communities of Glennallen and Trapper Creek and also located near Shell Lake, Schnieder Lake, and Swan Lake. Parcels will be offered for sale through a public sealed bid auction. These parcels have not been offered under any previous land sale program. The purpose of the sale is to provide land for settlement throughout the Southcentral Region. The sale of these parcels will meet the State's goal of making quality, accessible State land available for private ownership and will also generate revenue.

To prevent potential conflicts between surface and subsurface users within the parcels, the Division proposes to close to mineral entry 6 of the 17 parcels not already closed to mineral entry, 163.86 acres total; see attachment A. No mineral activity has been identified within or near the proposed parcels.

The Division is coordinating the Single Agency Review for consistency with the Alaska Coastal Management Program (ACMP) for nine parcels referred to as Shell Lake Small Lots and Susitna River Odd Lots.

Authority

Alaska Statutes: **38.04.005** – Public and Private Land Use Policy; **38.04.010** – Making Land Available for Private Use; **38.04.020** – Land Disposal Bank; **38.04.035** – Criteria for Program Selection; **38.04.045** – Survey and Subdivision; **38.04.050** – Access to Private Use Areas; **38.04.055** – Access Through Private Use Areas; **38.05.005** – Division of Lands; **38.05.035** – Powers and Duties of the Director; **38.05.045** – General Provisions for the sale of Land; **38.05.050** – Disposal of Land for Private Ownership; **38.05.055** – Procedures for Sale by Auction; **38.05.125** – Reservation of Rights; **38.05.127** – Access to Navigable or Public Water; **38.05.185** – General Policy on Mineral Location; **38.05.840** – Appraisal Policy; **38.05.910** – Policy of the State to Encourage Settlement; **38.05.940** – Land Purchase Price Discount for Veterans; and **38.05.945** – Requirements for Notice.

Administrative Record

The administrative record for the proposed action consists of the sale area, subdivision project files, and parcel case files; see Attachment A. Also incorporated by reference are the Susitna and Copper River Basin Area Plans.

Scope of the Decision

The Division proposes to offer for sale 17 surveyed parcels of State land located throughout the Southcentral Region through a public, sealed bid auction. The Division proposes to close 6 of the 17 parcels, totaling 163.86 acres, to mineral entry to prevent potential conflicts between surface and subsurface use; see attachment A. This is in keeping with the general recommendations from the Susitna River Area Plan and Copper River Basin Area Plan. The minimum bid for each parcel will be set at the appraised fair market value. Bidders will be required to provide a deposit of no less than 5% of their bid amount. The state will refund the 5% deposit to unsuccessful bidders. The Division does not intend to impose deed restrictions to control post-patent use. Restrictions regarding land use will be handled by the local zoning authority, if any.

The scope of this project under ACMP is to review the nine parcels referred to as the Shell Lake Small Lots and Susitna River Odd Lots for consistency within the Matanuska-Susitna Borough Coastal Management District.

Discussion

Geographic Locations: Denali View Subdivision parcel and Swan Lake Alaska Subdivision parcels are located approximately 1 mile west of the Parks Hwy and 15 miles north of the intersection of the Parks Hwy and Petersville Road. Schnieder Lake Small Lot is located just north of Schnieder Lake, approximately 5 miles west of Amber Lake, and 21 miles west of the intersection of the Parks Hwy and Talkeetna Spur. The Shell Lake Small lots are located on or near Shell Lake, approximately 72 miles northwest of Anchorage. The Susitna River Odd Lots are located approximately 5 miles southeast of the town of Trapper Creek, 2.5 miles east of the Parks Highway, and just west of the Susitna River, near the mouth of Trapper Creek.

Municipality: Parcels are located within the Matanuska-Susitna Borough except for the Glennallen II Subdivision parcel which is located within an unorganized borough.

Alaska Coastal District: The Shell Lake Small Lots and the Susitna River Odd Lots are located within the Matanuska-Susitna Coastal Management District.

Regional/Village Corporations/Councils: Cook Inlet Region, Inc., Ahtna Incorporated; Gulkana Village; Native Village of Tazlina; Native Village of Kluti-Kaah.

USGS Map Coverage: Parcels located in the following USGS Quads: Gulkana A-4, Talkeetna A-1, A-2, B-1, C-1, and Tyonek D-4, D-5.

Legal Descriptions: Refer to Attachment A for the list of legal descriptions.

Title Status

All parcels listed in Attachment A have been patented to the State of Alaska from the Bureau of Land Management. Full title reports have been requested for each parcel.

Other Conflicts and Pending Interest: The State retains ownership of all oil, gas, coal, ore, minerals, fissionable material, geothermal resources, and fossils that may be in or upon the land that it sells (AS 38.05.125). The State reserves the right to enter onto the land to explore for and develop these mineral resources. The State may lease them to mineral developers or allow mining locations to be staked. However, Alaska law also provides that the surface owner will be compensated for damages resulting from mineral exploration and development (AS 38.05.130).

The Glennallen II Subdivision parcel, ADL 229210, is subject to the Forest Oil Corporation's oil and gas exploration license, ADL 389724.

Schnieder Lake Small Lot, ADL 228227, is subject to the Forest Oil Corporation's oil and gas exploration license application, ADL 390077.

Background

Parcels included in this Preliminary Finding and Decision are state owned, surveyed parcels that have never been offered for sale to the public. In 2004, DNR targeted these existing, surveyed parcels to be included in a future State land offering.

Planning and Classification

DNR Land Use Plan: Parcels are located within the Susitna Area Plan, except for the Glennallen II Subdivision parcel which is located within the Copper River Basin Area Plan. The primary land use designation includes settlement for all parcels.

Land Classification: All parcels are classified Settlement. As per 11 AAC 55.277, beginning September 7, 1983, land previously classified as Private Recreation or Residential is considered to be classified as Settlement land.

Alaska Coastal Management Program: Nine parcels are located within the Matanuska-Susitna Borough Coastal District. The parcels are referred to as Shell Lake Small Lots and Susitna River Odd Lots. The Division is conducting a Single Agency Review concurrently with the Preliminary Finding and Decision to determine its consistency with ACMP for these nine parcels only.

Mineral Closing Order: Eleven of the parcels are currently closed to mineral entry. To prevent the potential conflict between surface and subsurface users, the Division proposes to close the additional 6 parcels, totaling 163.86 acres, to mineral entry; see attachment A. The proposed mineral closure is consistent with area plan recommendations. A mineral closure does not close the land to oil and gas exploration, leasing or development. The State retains ownership of all oil, gas, coal, ore, minerals, fissionable material, geothermal resources, and fossils that may be in or upon the land that it sells (AS 38.05.125). The State reserves the right to enter onto the land to explore for and develop these mineral resources. Alaska law also provides

that the surface owner will be compensated for damages resulting from mineral exploration and development (AS 38.05.130).

Municipal Zoning and Comprehensive Plan: None of the proposed sale parcels are located within an area with municipal zoning or within a comprehensive plan area.

Easements and Setbacks: Parcels will be subject to the following reservations, easements, and setbacks.

ADL	SUBDIVISION NAME	RESERVATIONS, EASEMENTS, & SETBACKS
228889	Denali View Subd.	Subject to platted easements and reservations of record, see ASLS 80-145.
229210	Glennallen II Subd.	Subject to platted easements and reservations of record, see ASLS 79-250.
229227	Schnieder L. Small Lot	Subject to 30 foot public access and utility easement along all upland, interior lot lines, also subject to 50 foot public access easement and 75 foot building setback upland from the ordinary high water mark of Schieder Lake.
229228	Shell L. Small Lot	Subject to 30 foot public access and utility easement along all upland, interior lot lines, also subject to 50 foot public access easement and 75 foot building setback upland from the ordinary high water mark of Shell Lake and Shell Creek.
229229	Shell L. Small Lot	Subject to 30 foot public access and utility easement along all upland, interior lot lines, also subject to 50 foot public access easement and 75 foot building setback upland from the ordinary high water mark of Unnamed Lake. Parcel may also be subject to 100 foot section line easement.
228892	Susitna R. Odd Lot	All Susitna River Odd Lots are subject to a 30 foot public access and utility easement along all upland, interior lot lines, also subject to 50-foot public access easement and 75 foot building setback upland from the ordinary high water mark of the Susitna River, Trapper Creek and their tributaries. Parcels adjacent to surveyed or protracted section lines are subject to a 50 foot section line easement either side of the section line.
228893	Susitna R. Odd Lot	
228894	Susitna R. Odd Lot	
228895	Susitna R. Odd Lot	
228896	Susitna R. Odd Lot	
228897	Susitna R. Odd Lot	
228898	Susitna R. Odd Lot	
229230	Swan Lake AK Subd.	All Swan Lake Alaska Subdivision parcels are subject to platted easements and reservations of record, see ASLS 79-154.
227596	Swan Lake AK Subd.	
227597	Swan Lake AK Subd.	
227598	Swan Lake AK Subd.	
227599	Swan Lake AK Subd.	

Traditional Use Finding: A traditional use finding is not applicable for the 16 parcels located within the Matanuska-Susitna Borough because the project area is within an organized borough (AS 38.05.830).

There are no anticipated significant changes to traditional uses of the land and resources of the Glennallen II Subdivision parcel (ADL 229210) as a result of the proposed action other than a potential increase in remote recreational and residential activity. The parcel is located within an existing residential subdivision. The project area has been designated and classified for settlement (land disposals) through the Copper River Basin Area Plan, and one of the

considerations in designating settlement areas was minimizing impacts on traditional uses, including fish and wildlife harvest.

Access to Parcels

Legal access exists to all parcels by reserved public access easements, platted rights-of-way, section line easements, or across undesignated state lands; see Generally Allowed Uses on State Lands. Access to parcels may not have been constructed. In some cases, primary access to parcels may be by boat or float plane.

Public and Navigable Water Body Determination

Waters Determined Public or Navigable: Parcels adjacent to waters that have been determined to be public or navigable will be subject to a 75 foot building setback upland from the ordinary high water mark.

Access To and Along Public or Navigable Water: Access to and along all waters determined to be public and navigable is reserved by public access easements along lot lines, platted rights-of-way, or section line easements.

Survey and Appraisal

Survey: Parcels have been determined to be surveyed by Alaska State Land Surveys (ASLS), United States Survey (USS), United States Rectangular Survey (USRS), or by Cadastral Survey. Two parcels, ADL's 228898 and 229223 will require Matanuska-Susitna Borough 40-acre exemption.

Appraisal: Parcels will have a current, fair market value appraisal completed prior to sale. Parcels will be offered through a competitive, sealed bid auction where the minimum bid price is the appraised fair market value. Cost for appraisal will be paid for from funds allotted for new settlement area development.

Agency Comments

Agency review and public notice are being done concurrently. All comments received during the public comment period will be considered and addressed in the final finding and decision.

Environmental Risk Assessment

There are no major environmental risks associated with the proposal to offer the 17 surveyed parcels for sale. Other impacts as a direct result of the proposed offerings would be as follows:

The anticipated changes as a result of offering areas under this program are an increase in private land ownership. There will be a potential increase in related private and recreational activities over time, including access and housing construction. Associated changes may be an increase in hunting, fishing, and other summer and winter recreational activities in the area.

The division will work with other State agencies to identify and consolidate access use to minimize the impacts. Other mitigation to reduce the potential environmental risks is the

protection of riparian habitat, such as a 75-foot building set back from public and navigable waters.

Alternatives

The following alternatives were considered:

Alternative 1: Do not offer the parcels for sale. Therefore the mineral closing orders would not be required. Retaining the pre-surveyed parcels in State ownership does not help the State meet its goal to provide quality, accessible land for private ownership. Retaining the parcels will also not help generate State revenue.

Alternative 2: Subdivide the larger parcels to create several new lots. This alternative would not be cost effective, since the existing lots are already determined to be surveyed and conform to existing access easements and neighboring surveys.

Alternative 3: The Division may consider offering the project area as proposed. The parcels have legal, feasible access. It is more cost effective to sell the existing parcels as surveyed.

The Alaska Legislature as well as private citizens indicated a desire for DNR to offer for sale, accessible, quality State land for private ownership. By making these parcels available, DNR will provide an opportunity for Alaskans to purchase quality, accessible State land. The sale of these parcels through a public sealed bid auction will also generate State revenue. The request to offer the proposed odd lot parcels as presented, is the preferred alternative.

Recommendation

I find that the proposed action is consistent with the overall management intent for state land and the action may be in the State's best interest, as it satisfies a demand for accessible, quality land for private ownership. The proposed action is consistent with the Susitna River and Copper River Basin Area Plans and will generate revenue for the State. This decision is hereby approved to proceed to public notice in accordance with AS 38.05.945.



Chris Grundman
Natural Resource Specialist II

01/14/2005

Date



Holly Hill, Manager II
Land Sales and Contract Administration Section

1/14/2005

Date

Public Notice

Pursuant to AS 38.05.945, public notice of this action will be conducted. The public is invited to comment on the proposed action. Copies of the preliminary decision are available at the Division of Mining, Land, and Water, Land Sales and Contract Administration Unit, 550 West 7th Avenue, Suite 640, Anchorage, AK 99501-3576. Copies are also available at the department's Public Information Offices in Juneau, Fairbanks, and Anchorage or at <http://www.dnr.state.ak.us/mlw/landsale/index.htm>. Comments must be received in writing by the Division of Mining, Land, and Water, Land Sales and Contract Administration Unit, Attention: Chris Grundman, 550 West 7th Avenue, Suite 640, Anchorage, AK 99501-3576 on or before **5:00 p.m. Thursday, February 17, 2005** in order to ensure consideration. Comments may also be sent via e-mail to chris_grundman@dnr.state.ak.us or by fax at (907) 269-8916.

All written responses will be considered. Only persons who comment during the comment period will be eligible to file an administrative appeal of the final finding and decision.

If public comment in response to this notice indicates the need for significant changes in the above decision, additional public notice for the affected decision will be given on or about the end of February, 2005. The State reserves the right to withdraw a parcel from consideration at any time. Withdrawing a parcel will not be considered a significant change requiring public notice. If no significant change is required, the Preliminary Finding and Decision, including any minor changes and a summary of comments and responses, will be issued as the Final Finding and Decision of the Department of Natural Resources, without further notice. The final decision will set out the applicable process for appealing the decision under AS 38.05.035 (i)-(m). A copy of the final decision will also be available at the address above and will be sent to any person who comments on the preliminary decision. If you have any questions concerning this proposed action, please contact Chris Grundman at (907) 269-8544. Individuals with audio impairments may call the department's Public Information Center in Anchorage between the hours of 10:00 a.m. and 5:00 p.m., Monday through Friday, at TDD# (907) 269-8411.

Attachment A

ADL	MTRS	SURVEY	ACRES	SUBDIVISION NAME	LOT - ALIQUOT PART	BLOCK	MCO	AREA PLAN	CLASSIFI- CATION	COASTAL ZONE	TITLE RECEIVED	SELECTION #
228889	S028N006W13	ASLS 80-145	3.477	Denali View Subd.	1	2	144	SUAP 3 2D	PVR	N/A	50-68-0210	GS 90
229210	C004N002W22	ASLS 79-250	8.270	Glennallen II Subd.	21		NONE	CRBAP 23D	PVR & RSD	N/A	50-85-0127	GS 1082
229227	S024N008W14	USS 3951	4.950	Schnieder L. Small Lot			199	SUAP 3 1C	PVR	N/A	50-65-0605	GS 1211
229228	S021N012W05.08	USS 3987	4.990	Shell L. Small Lot			133	SUAP 5 2C	PVR	MSB	50-66-0185	GS 276
229229	S021N012W04	USS 3988	4.970	Shell L. Small Lot			133	SUAP 5 2 C	STL	MSB	50-66-0185	GS 276
228892	S025N005W15	USRS	44.900	Susitna River Odd Lot	1		NONE	SUAP 3 7 A	STL	MSB	50-72-0015	GS 97
228893	S025N005W15	USRS	17.790	Susitna River Odd Lot	2		NONE	SUAP 3 7 A	STL	MSB	50-72-0015	GS 97
228894	S025N005W15	USRS	12.550	Susitna River Odd Lot	5		NONE	SUAP 3 7 A	STL	MSB	50-72-0015	GS 97
228895	S025N005W22	USRS	25.670	Susitna River Odd Lot	1		351	SUAP 3 7 A	STL	MSB	50-69-0066	GS 97
228896	S025N005W22	USRS	40.000	Susitna River Odd Lot	SW1/4NE1/4		NONE	SUAP 3 7 A	PVR	MSB	50-69-0066	GS 97
228897	S025N005W22	USRS	36.020	Susitna River Odd Lot	2		351	SUAP 3 7 A	PVR	MSB	50-69-0066	GS 97
228898	S025N005W22	USRS	40.350	Susitna River Odd Lot	NE1/4SE1/4		NONE	SUAP 3 7 A	STL	MSB	50-69-0066	GS 97
229230	S028N005W07	ASLS 79-145	4.336	Swan Lake AK Subd.	3	2	130	SUAP 3 2D	PVR	N/A	50-68-0216	GS 87
227596	S028N005W07,18	ASLS 79-145	4.711	Swan Lake AK Subd.	3	4	130	SUAP 3 2D	PVR	N/A	50-68-0216	GS 87
227597	S028N005W07	ASLS 79-145	4.978	Swan Lake AK Subd.	4	4	130	SUAP 3 2D	PVR	N/A	50-68-0216	GS 87
227598	S028N005W07	ASLS 79-145	4.813	Swan Lake AK Subd.	11	4	130	SUAP 3 2D	PVR	N/A	50-68-0216	GS 87
227599	S028N005W7,18	ASLS 79-145	4.645	Swan Lake AK Subd.	5	7	130	SUAP 3 2D	PVR	N/A	50-68-0216	GS 87

Classification Key: PVR = Private Recreation, RSD = Residential, STL = Settlement

SEC 8 TOWNSHIP 21N RANGE 12W OF THE SEWARD MERIDIAN, ALASKA

LEGEND

BASE INFORMATION

- HYDROGRAPHY
- SURVEY LOT LINE
- SURVEY LOT LINE
- TOWNSHIP/SECTION GRID
- 1/4 SECTION LINE
- ROAD
- TRAIL
- RAILROAD
- ELECTRICAL POWER LINE
- TELEPHONE LINE
- FULL LINE
- APPORTIONING STRIP
- HORIZONTAL CENTERLINE
- CONTROL MONUMENT

STATUS INFORMATION

- TITLE
- BOUNDARY
- CLASSIFICATION
- PROPOSAL
- MUNICIPAL
- RESTRICTION
- FEDERAL ACTION
- MENTAL HEALTH TRUST
- LIMITS OF ACTION
- NAVIGATIONAL AID
- CABIN PERMIT
- TRAPPING CABIN PERMIT
- FELONY LOCATION

SUBJECT WATER RIGHTS

- APPLICATION
- PERMIT
- CERTIFICATE

SUB-SURFACE WATER RIGHTS

- APPLICATION
- PERMIT
- CERTIFICATE

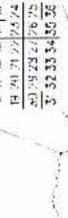
IN-STREAM FLOW RESTRICTION

- APPLICATION
- CERTIFICATE

DAM, WEIR, BARRIAR

- APPLICATION
- PERMIT
- CERTIFICATE

VICINITY MAP



STATUS PLAT

THE PLAT SHOWS ALL LAND UNDER WATER THAT ARE SUBLEASED, IN PART, AND SUBJECT TO THE LAW AND PLAN OF THE TOWNSHIP, AND ARE SUBJECT TO THE PLAT RIGHTS OF THE TOWNSHIP.

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STATE OF ALASKA
 DEPARTMENT OF NATURAL RESOURCES
 LAND RECORDS INFORMATION SECTION
 SEC 8
 SP
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ATTENTION STATUS PLAT USERS: ON THIS PLAT, ALL STATUS LINES CLOSE FOR ACTIONS THAT EXCEED INTO ADJACENT TOWNSHIPS. THIS INCLUDES STATUS LINES SUCH AS REGIONAL, MUNICIPAL, TITLE, AND FEDERAL. TO DETERMINE IF ACTIONS EXTEND BEYOND THE BOUNDARIES SHOWN ON THIS PLAT, REFER TO THE TITLE CLASSIFICATION AND RESTRICTION LINES ALWAYS LOCATED ON ALL PLATS.

BOUNDARY CLASSIFICATION ONLY. SOURCE DOCUMENTS REMAIN THE OFFICIAL RECORD. CONTACT LAND ADMINISTRATION SYSTEM (LANS) CENTER FOR ADDITIONAL INFORMATION.



CHECKED BY: TISHI MCKEY
 ABC Title

VERSION: A6360 EBL21W R12 21 0614 PST 2020

USER: GARYN
 DATE: Wednesday, December 11, 2025 at 10:17 AM

